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SUBJECT: **DRAFT 2013 STATE LEGISLATIVE AGENDA AND DRAFT 2013 STATEMENT OF POLICY**

STAFF CONTACT: Joyce Nichols, City Manager's Office, 452-4225

POLICY ISSUE: The State Legislature addresses a range of policy issues of interest to the City.

NEEDED FROM COUNCIL:

Staff is providing background on State Legislative issues and the Draft 2013 State Legislative Agenda for Council information and discussion. Tonight's briefing is intended to give Council an overview of the critical issues to be included in the City's Agenda. The Draft Agenda was reviewed by Council at the October 22 meeting. Council feedback received this evening will be incorporated into a Final Agenda that will be brought back for Council adoption in December. The 2013 Statement of Policy has been updated and is provided for Council review tonight.

BACKGROUND

Each year, the City Council adopts two policy documents related to the State Legislature:

- (1) Legislative Agenda – a shorter list of priority items that will be the focus of the City's efforts in Olympia each year. A new document is produced each year for Council approval. The Agenda is used to communicate on key issues of interest and concern to the City's legislative delegation.
- (2) Statement of Policy – a comprehensive list of legislative positions covering a broad range of issues developed over time. These issues may or may not surface during the legislative session. The Statement of Policy is carried forward each year with changes to remove items that have been resolved or are no longer policy positions of the Council and to add new policies as appropriate. The Statement of Policy has grown over the years to encompass many policy issues. This document is not generally provided to Legislators, but is utilized by the City to provide policy direction as issues are considered by the Legislature. The updated Statement of Policy is included as Attachment B.

The 2013 Draft Statement of Policy was reviewed by staff and several formatting changes made. A new category of "Energy, Environment and Utilities" was created this year to reflect the ways in which these issues are interrelated and how the wise use and

stewardship of these resources are essential to the current and future quality of life in our community.

The sections on Energy and Air Quality are largely new, while Water Supply, Stormwater Management, Solid Waste and other environmental issues have been updated to reflect current conditions. In all cases, changes between the 2012 adopted and 2013 draft Statement of Policy are shown in Track Changes mode. A “clean copy” is also included for ease in reading the document.

The issues proposed for inclusion in the 2013 State Legislative Agenda are those preliminarily identified by staff as important for the City to pursue during the 2013 Session or those that are likely to be pursued by others. In many cases, the proposed policy positions are protective of the City’s authority and revenue base.

Staff is seeking input and direction from Council on whether these issues and preliminary positions are the right ones to include in the Agenda and, if so, the relative priority.

OVERVIEW

The 2013 State Legislative Session begins on January 14 and runs 105 days, and is already shaping up to be another challenging session. The State’s fiscal challenges have not gone away. The November State revenue forecast noted only a slight change from the September report. Forecasted revenue for the current biennium has been increased by \$8 million, with a \$31 million positive change in collections since September. This increase was partially offset by a weaker forecast going forward. According to the forecast, the next State budget will need to come in at about \$500 million lower, plus additional money for a rainy day fund and ending fund balance—the total of those being between \$1 billion and \$1.3 billion. The weaker forecast going forward takes into consideration the “fiscal cliff” debate at the federal level, the fiscal situation in Europe and China, a slightly lower US GDP and a slightly lower personal income projection for Washington State.

Adding to the challenges is the need for the Legislature to deal with the State Supreme Court decision in the *McCleary* case that held the State’s system of school funding is unconstitutionally inadequate and placed the State under a court order to remedy K-12 funding. The November revenue forecast noted that the 2013-2015 biennial budget will be impacted by the *McCleary* decision between \$500 million and \$2 billion. Discussions are occurring on how best to “reform” school funding and while it is unknown how the Legislature will deal with the problem, it is possible that \$3-4 billion may be necessary in new K-12 funding over a few biennia to fully address the court order.

In addition to the fiscal challenges, there are new faces in many of our Statewide elected offices. Governor-elect Jay Inslee is naming his transition team members and we anticipate there will be changes in many of the state agencies as a result of the transition to a new Governor. In the 41st and 48th districts, all incumbent legislators were reelected and will be joined by Representative Cyrus Habib who was elected to the seat currently held by Representative Deb Eddy. Control of the State House remains in the hands of the Democrats with either 54 or 55 seats. As of this writing, the Senate race in the 17th District (Clark County/Vancouver) remains extremely close and is headed for a recount. If the Republican wins in the 17th, and he is ahead by about 100 votes, the Democrats will have 26 Senate seats, but philosophical control will be on the Republican side, setting up a possible coalition government in the Senate.

Statewide Initiatives

Two initiatives on the November ballot were approved by voters and both will impact the City and/or the region and may result in activity in the 2013 Legislative session.

- I. **Initiative 502—Marijuana legalization.** I-502 was approved by Washington voters and legalizes the possession, use and sale of marijuana, with limits, for people over 21 effective December 6, 2012. Passage of this initiative will set in motion discussions on sales, retail licenses and taxes, all of which will be regulated by the Liquor Control Board (LCB). The LCB issued a statement saying it will establish rules regarding licensing and sales no later than December 1, 2013.

Federal laws classify marijuana as a controlled substance and provide criminal penalties for its manufacture, distribution, possession or use. These federal criminal laws are enforced by the federal government agencies that act independently of state and local government law enforcement agencies. To the extent that the federal government continues to enforce its criminal laws related to marijuana, it would impede the activities permitted by this initiative. The total fiscal impact on the State and local government revenues, expenditures and costs is unknown due to the significant uncertainties related to federal enforcement. The initiative will bring many changes and challenges to our state and local governments and Bellevue staff will keep Council apprised of developments in this area.

- II. **Initiative 1185—State taxes and fees.** I-1185 was approved by voters in November. The initiative restates the existing statutory requirement that any action by the Legislature that raises taxes must be approved by a two-thirds vote or approved in a referendum to the people. It also restates the existing statutory definition of “raise taxes” and the requirement that new or increased fees must be approved by majority vote in both houses of the legislature. The constitutionality of the current statutory requirement of a two-thirds vote to raise taxes has been heard by the State Supreme Court and a decision is expected if not this year, then in early 2013.

KEY ISSUES IDENTIFIED FOR THE 2013 STATE LEGISLATIVE AGENDA

Fiscal Issues

Local Business and Occupation (B&O) Tax and Licensing Authority: Supporters of last year’s bill that would have established State administration and collection of the local portion of the B&O tax have said they will introduce the bill in 2013. Cities, including Bellevue, remain opposed to State administration of the local share of the B&O tax. The five largest local B&O collection cities (Seattle, Tacoma, Bellevue, Everett and Bellingham) continue to oppose State administration and are working to create a multi-city business license and tax portal. The portal will make it easier for businesses to obtain a license, file tax returns and pay B&O taxes from one easy-to-use web site. The partner cities represent about 90% of the local B&O taxes collected in Washington State.

Proposed Position: *Bellevue supports the goal of streamlining administration and reporting of local B&O taxes through the development of a single multi-city portal for registering businesses and paying local B&O taxes. Bellevue opposes State administration of local B&O tax as it will reduce local flexibility to tailor the tax to local conditions and it will reduce revenues to the City.*

Preserve State appropriations and/or authority benefitting local governments: Facing another challenging budget situation, it is anticipated that the Governor and/or the Legislature may look at pulling back revenues or programs and the funds that are currently shared with local governments. In the last legislative session proposals were introduced that would have severely reduced local government revenues. With the exception of the liquor excise tax and liquor profits cap, cities were able, for the most part, to retain State-shared revenues. However, it is expected that there will be sustained pressure to “sweep” these revenues to help resolve the State’s revenue shortfall.

Proposed Position: Bellevue opposes reductions in State-shared revenues and supports retention of programs and authority benefitting local governments such as: 1) liquor taxes and profits; 2) annexation sales tax credit; 3) local public health funding; 4) the Washington Wildlife Recreation Program; 5) the Public Works Trust Fund; 6) approved Local Revitalization Fund projects; and, 7) the Municipal Criminal Justice Account, among others. Additionally, Bellevue opposes “sweeping” or shifting funds from the State Capital Budget to the State General Fund.

Restore liquor excise taxes and remove the cap on liquor profits: In the last hours of the second special legislative session earlier this year, the Legislature passed ESSHB 2832. The bill transferred some State revenues from the Education Construction Fund, the Public Works Assistance Account and the Liquor Tax Fund and placed them in the General Fund. The impact on cities was dramatic:

- Liquor Excise Tax: The Legislature diverted a full fiscal year (July 2012 through June 2013) of liquor excise tax distributions totaling \$28.8 million. Bellevue’s estimated revenue loss is about \$651,000, half in 2012 and the other half in 2013. Beginning July 1, 2013, the State will take additional money from the local government share of liquor excise taxes. As a result of this reduction, Bellevue is estimated to receive about \$425,000 per year.
- Liquor Profits: The Legislature allowed cities to keep their current liquor profits distributions, approximately \$934,000 per year for Bellevue, and cities’ share of the \$10 million in additional revenue for public safety (about \$226,000 to Bellevue) included in I-1183 that privatized liquor sales. However, the legislature placed a cap on the current rates and allowed the State to keep the additional profits from the growth in permit and license fees that will result from the privatization of liquor sales as a result of the passage of I-1183.

Proposed Position: Bellevue supports legislation to fully restore the local share of liquor excise taxes that existed prior to passage of ESSHB 2832. Further, Bellevue supports removing the cap on liquor profits imposed under ESSHB 2832. These funds are needed to provide critical local services especially in public safety and human services where the greatest impacts of wider availability of alcohol products are most likely to be felt.

Job Order Contracting (JOC): This alternative construction procurement method has been used successfully for eight years to meet the demands of large and small public repair and remodeling construction projects. The statute authorizing this procurement method is scheduled to sunset at the end of 2013. Extending the sunset date to 2020 will allow for the continued benefits from this more rapid, cost effective approach to procurement.

Proposed Position: Bellevue supports the extension of JOC legislation for public works projects to allow continued cost savings in the procurement process.

Transportation

New Transportation Revenue Package: There are a number of groups having informal discussions about the critical need for new State and local transportation revenue. Citywide surveys consistently show that traffic congestion and transportation are the most often mentioned problems facing Bellevue. Several options are being discussed, including: an increase in the State gas tax; imposition of a Statewide or local option motor vehicle excise tax (MVET); an increase in the transportation benefit district (TBD) vehicle license fee (VLF) that can be implemented via councilmanic action and an additional fee on electric vehicles. Specific funding sources and project lists will be the subject of session-long discussions, and Bellevue needs to engage in the discussions now, and advocate for its priorities to ensure that the funding sources chosen deliver tangible benefits that reduce traffic congestion and improve mobility in the City and the region.

Proposed Position: *Bellevue supports the development of a robust State-enacted transportation package that provides new revenue for roads and transit and focuses on the following projects that are of critical importance to the City:*

- ***Completion of the projects identified in the I-405 Master Plan, including:***
 - ***NE 6th extension to 120th Avenue NE***
 - ***Two additional lanes from I-90 to Renton***
 - ***Restripe NE 12th to SE 8th to accommodate an additional lane each direction***
 - ***Completion of the southbound SR 520 to I-405 braided ramp at NE 10th***
- ***Funding for a new full interchange at 124th and SR 520***

Public Safety

Medical Marijuana and Passage of Initiative 502: No bills advanced in the 2012 Legislative Session regarding medical marijuana regulation. Initiative 502, discussed briefly above, was approved by Washington voters on November 6, and legalized marijuana use, with limits, for people over the age of 21. It is unknown how passage of the initiative will impact medical marijuana.

Proposed Position: *Monitor. City staff is evaluating these issues and will propose a position once more is known about the potential impact of the ballot initiative regarding adult recreational marijuana, the federal response, and subsequent to a discussion by the Council of the primary policy questions about the appropriate role for local zoning authorities. At a minimum, the City will monitor and advocate for Bellevue's interests as appropriate.*

ADDITIONAL ISSUES THAT WILL LIKELY BE ON THE TABLE FOR CITIES IN 2013

General Government

Public Records Requests—Proposed Position: *Bellevue takes a customer focused approach in providing efficient and effective access to public records, and is committed to allocating resources to appropriately respond to Public Records Act requests while balancing resources and customer expectations. The City recognizes that some local government agencies have been overwhelmed in their efforts to meet their obligations under the Act due to the actions of a small number of requestors. In this light, the City*

supports legislation that would permit injunctive relief from abusive and punitive requestors, and would allow cities to develop resource limits to prevent escalating records requests from draining budgets.

Sustainable Personnel Costs—Proposed Position: *Bellevue supports amendments to the criteria for binding interest arbitration that would permit consideration of the following: ability to pay; economic conditions and other unique characteristics at the local, regional and state level; and, qualifications for arbitrators.*

Pension Funding—Proposed Position: *Bellevue supports amendments to pension provisions that would stabilize contribution rates so that they do not fluctuate with economic “boom/bust” cycles and therefore establish a more fiscally responsible approach to pension funding.*

Land Use

SEPA Reform—Proposed Position: *Continue participating in developing options to streamline and reduce unnecessary regulations and costs while ensuring the current flexibility in SEPA is preserved and the proposed exemptions are compatible with Bellevue’s processes.*

SEPA Latecomer Fee Authority—Proposed Position: *Upfront SEPA review is a tool that many cities are using to promote economic development. Bellevue supports cost recovery authority for this planning.*

Utilities/Environment

NPDES Permit and Stormwater Funding—Proposed Position: *Bellevue supports State funding that allows local governments flexibility to determine the best way to use the funding in implementing the Phase II stormwater requirements (NPDES permit). Bellevue opposes permit conditions that undermine local land use authority.*

Economic Development

Refinements to the Local Revitalization Financing (LRF) Tool—Proposed Position: *The City will support actions by the Legislature to modify the LRF tool to ensure that funding and beneficial conditions for approved projects are maintained.*

ALTERNATIVES:

N/A

RECOMMENDATION:

N/A

ATTACHMENTS:

- (A) Draft 2013 State Legislative Agenda
- (B) Draft 2013 Statement of Policy



DRAFT CITY OF BELLEVUE 2013 STATE LEGISLATIVE AGENDA

REVENUE/FISCAL ISSUES

Local Business and Occupation (B&O) Tax and Licensing Authority: Bellevue supports the goal of streamlining administration and reporting of local B&O through the development of a single multi-city portal for registering businesses and reporting and paying local B&O. Bellevue opposes State administration of local B & O tax because it will reduce local flexibility to tailor the tax to local conditions and it will reduce revenues to the City.

State appropriations/authority benefitting local governments: Bellevue opposes reductions in State-shared revenues and supports retention of programs and authority benefitting local governments such as: 1) liquor taxes and profits; 2) annexation sales tax credit; 3) local public health funding; 4) the Washington Wildlife Recreation Program; 5) Public Works Trust Fund; 6) approved Local Revitalization Fund projects; and 7) Municipal Criminal Justice Account, among others. Additionally, Bellevue opposes "sweeping" funding from the State Capital Budget for use by the State General Fund.

Liquor Taxes and Profits: Bellevue supports legislation to fully restore the local share of liquor excise taxes that existed prior to passage of ESSHB 2832. Further, Bellevue supports removing the cap on liquor profits imposed under ESSHB 2832. These funds are needed to provide critical local services especially in public safety and human services where the greatest impacts of wider availability of alcohol products are most likely to be felt.

Job Order Contracting (JOC): Bellevue supports extension of JOC legislation for public works projects to allow continued cost savings in the procurement of these projects.

TRANSPORTATION

New Transportation Revenue Package: Bellevue supports the development of a robust state-enacted transportation package that provides new revenue for roads and transit and focuses on the following projects that are of critical importance to the City:

- Completion of projects identified in the I-405 Master Plan, including:
 - NE 6th extension to 120th Ave. NE
 - Two additional lanes from I-90 to Renton
 - Restripe NE 12th to SE 8th to accommodate an additional lane in each direction
 - Completion of southbound SR 520 to I-405 braided ramp at NE 10th
- Funding for a new full interchange at 124th and SR 520

PUBLIC SAFETY

Medical Marijuana and Passage of Initiative 502: City staff is evaluating these issues and will propose a position(s) once more is known about the potential impact of the ballot initiative regarding adult recreational marijuana, the federal response, and subsequent to a discussion by the Council of

the primary policy questions about the appropriate role for local zoning authorities. At a minimum, the City will monitor and advocate for Bellevue's interests as appropriate.

GENERAL GOVERNMENT

Public Records Requests: Bellevue takes a customer focused approach in providing efficient and effective access to public records, and is committed to allocating resources to respond appropriately to the Public Records Act while balancing resources and customer expectations. The City recognizes that some local government agencies have been overwhelmed in their efforts to meet their obligations under the Act due to the actions of a small number of requestors. In this light, the City supports legislation that would permit injunctive relief from abusive and punitive requestors, and would allow cities to develop resource limits to prevent escalating records requests from draining budgets.

Sustainable Personnel Costs: Bellevue supports amendments to the criteria for binding interest arbitration that would permit consideration of the following: ability to pay; economic conditions and other unique characteristics at the state, regional and local level; and qualifications for arbitrators.

Pension Funding: Bellevue supports amendments to pension legislation to "stabilize" contribution rates that do not fluctuate with economic "boom/bust" cycles and a more fiscally responsible approach to pension funding.

LAND USE

SEPA Reform: Continue participating in developing options to streamline and reduce unnecessary regulations and costs while ensuring the current flexibility in SEPA is preserved and the proposed exemptions are compatible with Bellevue processes.

SEPA Latecomer Fee Authority: Upfront SEPA review is a tool that many cities are using to promote economic development. Bellevue supports cost recovery authority for this planning.

UTILITIES/ENVIRONMENT

NPDES Permit and Stormwater Funding: Bellevue supports state funding that allows local governments flexibility to determine the best way to use the funding in implementing the Phase II stormwater requirements (NPDES permit). Bellevue opposes permit conditions that undermine local land use authority.

ECONOMIC DEVELOPMENT

Refinements to Local Revitalization Financing (LRF): The City will support actions by the Legislature to modify the LRF tool to ensure that funding and beneficial conditions for approved projects are maintained.



CITY OF BELLEVUE

Draft 2013 ~~2012~~ STATE LEGISLATIVE

STATEMENT OF POLICY

NOTE: The 2013 Draft Statement of Policy was reviewed by staff and several formatting changes made.

A new category of "Energy, Environment and Utilities" was created this year to reflect the ways in which these issues are interrelated and how the wise use and stewardship of these resources are essential to the current and future quality of life in our community.

The sections on Energy and Air Quality are largely new, while Water Supply, Stormwater Management, Solid Waste and other environmental issues have been updated to reflect current conditions.

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GENERAL POLICY

The City of Bellevue supports State legislative efforts to encourage cost-effective State, regional and local policy planning and delivery of government services. The City supports legislation that enhances local flexibility to address issues of local concern. The City opposes legislation that mandates increased local costs or results in an inappropriate diminution of local authority over local affairs.

A. ECONOMIC DEVELOPMENT. Support legislation recognizing that the State and local governments play an important role in maintaining, expanding and diversifying local economies. Support legislation or funding that would enhance cities' ability to support job retention and growth; support workforce development; provide economic development loans and grants; finance public improvements for economic development purposes, including tax increment financing mechanisms and new State infrastructure matching programs, loans or grants; and support Brownfields cleanup activities.

B. TRANSPORTATION

- 1. Bellevue's Transportation Priorities.** The City of Bellevue, as home to King County's second largest metropolitan center, requires a broad mix of transportation solutions including highway, regional bus, regional light rail, pedestrian and bicycle infrastructure, local transit and local roadway improvements to support growth.

New Transportation Revenue Package: Bellevue supports the development of a state-enacted transportation package that provides new revenues for roads and transit and focuses on the following projects that are of critical importance to Bellevue~~with a focus on providing funding to support key regional priority projects:~~

~~* 124th full interchange at 520~~

- Completion of projects identified in the I-405 Master Plan
 - NE 6th extension to 120th Ave NE
 - Additional lane from I-90 to Renton
 - NE 12th to SE 8th restriping to accommodate an additional lane each direction
 - Completion of SB SR 520 to I-405 braided ramp at NE 10th

~~* I-405 NE 2nd Interchange~~

~~* Completion of R8A on I-90~~

- Funding for a full new interchange at 124th on SR 520

2. **Transportation Funding.** The State highway and federal interstate system in East King County fails to meet the needs of the region and is threatening the quality of life and economic prosperity of those living and working in the region. The Legislature should ensure the State gas tax provides adequate revenue to address near-term transportation system funding for the State and local government transportation needs, including consideration of indexing the gas tax for inflation. Bellevue supports legislation that provides new local authority transportation tools, ~~and including consideration of new funding tools that may emerge from the state's 2011 Connecting Washington effort. Bellevue also supports careful consideration~~ new revenue sources that provide a sustainable revenue stream to meet State transportation needs, such as a phased implementation of system-wide tolling and pricing of key State facilities.

C. FINANCE

1. **Local Revenue Authority.** Oppose legislation that would reduce the City's tax or license base or revenue authority, or would adversely alter or limit the distribution or application of revenue at the local level. Support legislation that provides additional financial flexibility at the discretion of the city legislative body, while recognizing the need for local government to streamline its revenue collection processes and act in a "business friendly" manner.
2. **Business and Occupation (B&O) Tax Authority.** Bellevue supports the goal of streamlining administration and reporting of the local share of the B&O tax through development of a single multi-city portal for registering businesses and reporting and paying local B&O taxes. This approach would provide greater efficiency while retaining local control, flexibility and revenue capacity from this important funding source. Bellevue supports use of the Model Business and Occupation Gross Receipts Tax Ordinance with limited exceptions to allow flexibility to each city to adjust its tax structure to meet local business needs and priorities, and economic development goals. Bellevue opposes legislation that will reduce municipal B&O taxing, administration and licensing authority or revenue.
3. **Sales Tax.** Bellevue supports continued mitigation for losses to jurisdictions that are negatively impacted from changes to sales tax sourcing, until such time as voluntary compliance of the collection and payment of State and local sales tax on interstate mail order and internet sales, or federal mandate, results in net positive revenues from the sourcing change.
4. **Telecommunications Taxes.** Bellevue opposes any reduction in the ability of municipalities to impose reasonable taxes and fees on telecommunication services.
5. **Sales Tax Limitations.** Bellevue opposes legislation to extend sales tax to new areas of local government operations, such as parks and recreations programs for youth.
6. **Utility Lien Law.** Bellevue opposes legislation that would preempt existing city authority to place liens on property or discontinue service to assure payment for utility services. (Note: this is the same language used in the 2012 Statement of Policy, but has been moved from the Utilities section).
7. ~~**Electric Utility Deregulation**~~ **City Utility Tax** **Authority.** Support maintenance of existing city utility tax revenues and utility authority.

~~Support legislation to secure “aggregation authority” for cities or other customer groups in a competitive market. Support policies that ensure the benefits of the northwest power system remain within the State and region to preserve low cost power to the City, its businesses and its residents.~~

D. ENERGY, ENVIRONMENT AND UTILITIES

Bellevue considers natural resources to be key community assets for current and future generations and supports legislation and funding to maintain the City’s quality of life, including preserving and protecting a healthy environment and economy.

1. ENERGY

- a. Clean Energy and Technology Sector.** Bellevue supports funding that would enhance cities’ ability to attract and retain emerging clean economy businesses and jobs, including funding or favorable financing mechanisms for development of infrastructure required to accommodate them.
- b. Renewable Energy and Energy Efficiency.** Bellevue supports incentives for the installation of renewable energy generation equipment and facilities, including solar, heat recovery and geothermal. The City also supports incentives to encourage energy efficiency, conservation and the use of advanced biofuels (e.g. biodiesel and ethanol, among others).
- c. Public-Private Partnerships.** Bellevue supports legislation enabling public-private partnerships that increase the functionality and value of public facilities (e.g., park-and-ride facilities).

2. AIR QUALITY AND CLIMATE

- a. Green Fleets.** Bellevue supports incentives for government fleets to transition to cleaner, more fuel-efficient vehicles, such as hybrids and plug-in electric vehicles.
- b. Electric Vehicle Infrastructure.** Bellevue supports funding for regional, state and multistate electric vehicle (EV) infrastructure planning and implementation efforts.
- c. Air Pollution Prevention. Quality.** ~~Bellevue sSupports increased State~~ Bellevue sSupports increased State ~~funding for local and regional air quality and pollution reduction programs, including those managed by the Puget Sound Clean Air Agency (PSCAA) and the Clean Cities Coalition. Bellevue sSupports legislation that would provide the option allow for all larger cities to be directly that are not already represented on the Puget Sound Clean Air Agency to elect whether or not they wish to have a seat on the PSCAA Board of Directors of the agency.~~ funding for local and regional air quality and pollution reduction programs, including those managed by the Puget Sound Clean Air Agency (PSCAA) and the Clean Cities Coalition. Bellevue sSupports legislation that would provide the option allow for all larger cities to be directly that are not already represented on the Puget Sound Clean Air Agency to elect whether or not they wish to have a seat on the PSCAA Board of Directors of the agency.
- d. Commute Trip Reduction.** Bellevue supports Commute Trip Reduction funding and policies that reduce demand on local and state roads.

3. WATER SUPPLY

Bellevue supports State policy that:

- a.** Encourages cooperative efforts of local governments to undertake water supply planning, develop new water resources, and link systems together for greater efficiency.
- b.** Provides tools that allow local governments and water supply agencies to equitably balance competing demands on water resources, including a balance between in-stream and out-of-stream benefits.

- c. Creates incentives to pursue and encourage cost-effective water conservation measures for all segments of water users.
- d. Eliminates the legal uncertainty created by recent Washington State Supreme Court cases regarding the appropriate mechanism or process to pay for fire hydrants, the supporting water system facilities and water for fire flow, by providing local governments and water utilities flexibility in cost recovery mechanisms.

Bellevue opposes:

- a. Changes to the municipal water law statute that would jeopardize the ability of the Cascade Water Alliance to meet its obligations to its members.

4. STORMWATER MANAGEMENT AND NPDES PERMIT

The City supports:

- a. Additional funding to help cities implement the municipal stormwater discharge permit under Phase II of the National Pollutant Discharge Elimination system (NPDES);
- b. Flexible and dDirect funding to cities and counties to meet NPDES requirements based on a per-capita or other formula that recognizes the burdens of the new regulations to different jurisdictions; and
- c. An alternative monitoring strategy for the next NPDES municipal stormwater permit that provides more meaningful and useful results, is less expensive, and meets multiple objectives, such as Chinook recovery or Growth Management Act directives.

The City opposes:

- a. New permit requirements that exceed what is reasonable and practicable regarding urban runoff; ~~and~~
- ~~b. The addition of new permit regulations/requirements until there has been sufficient time to determine whether current investments have achieved the desired results.~~
- b. New permit requirements that undermine local land use authority and/or conflict with the Growth Management Act vesting rules and other local government functions;
- c. Permit-mandated watershed scale stormwater planning that undermines the local land use control and/or potentially expands City liability for the actions of other jurisdictions; and
- d. Department of Ecology rulemaking that results in unrealistic water quality standards and enforcement through Water Quality Cleanup Plans and the NPDES Permit.

5. SOLID WASTE

- a. **Preserve Local Authority.** Bellevue supports preserving existing city authority over solid waste management, especially waste stream control and recycling.
- b. **Lifecycle Product Stewardship.**
Bellevue supports:
 - Improved packaging requirements to include significant recycled content and to improve the ease of recycling products at the end of their useful life;

- Programs that encourage manufacturer responsibility for developing and implementing a collection system for the reclamation and proper disposal of their products at the end of the products' useful life;
- Legislation for point of sale to place fees at the point of sale on products that are later disposed of as on hazardous waste products to support the operation of specialized help finance permanent collection facilities; for hazardous materials; and
- Legislation to allow cities with essential public facilities ~~(e.g. transfer stations) located~~ within their boundaries (e.g. transfer stations) to assess/receive reasonable fees to ~~help~~ mitigate the ~~additional related~~ public safety and costs, infrastructure impacts, costs, -and loss of tax revenue; and ~~to the "host" city.~~
- A convenient, safe, secure and environmentally sound medicine take-back program for unwanted medicines from households through a mechanism that covers the cost of collection, transportation and disposal that does not rely on local government funding.

6. OTHER ENVIRONMENTAL INITIATIVES

- a. **Salmon Recovery and Endangered Species Act (ESA) Funding.** The City supports increased funding for salmon recovery focused on watershed forums' implementation plans. Bellevue also supports legislation that streamlines permitting for ESA-related projects.
- b. **Puget Sound Partnership.** The City supports legislation that is compatible with current planning efforts and activities related to water quality, quantity and habitat, as well as consistency with community values and appropriate fiscal constraints. Bellevue opposes adoption of actions or legislation that imposes unrealistic or infeasible water quality, quantity or habitat or monitoring requirements in urban areas.
- c. **Flood Control.** Bellevue supports legislation that would require balancing public safety concerns with habitat protection when reviewing and/or issuing permits for flood control projects. The City also supports efforts to ensure there is a nexus between the expenditure of funds within a flood control zone and the contribution and benefit received by areas within the zone.
- d. **Reclaimed Water.** Bellevue supports legislation requiring a cost-benefit analysis from purveyors of reclaimed water to ensure that general rate-paying customers are not subsidizing those who will benefit directly from the reclaimed water system.
- e. **Lakeline Funding.** The City supports funding to repair and/or replace deteriorating segments of the sewer pipeline located along the shore of Lake Washington and Lake Sammamish.

E. GENERAL GOVERNMENT

1. **Insurance/Tort Reform.** Bellevue supports efforts by the State to reduce liability costs which will add a greater degree of certainty to business and government budgets and improve the economic environment. Bellevue supports legislation to amend State tort statutes to remove unreasonable municipal and private sector liabilities, specifically:
 - a. **Joint and Several Liability.** Exempt cities and towns from joint and several liability for the acts of other persons at fault;

- b. **Cap Non-Economic Damages:** Provide caps on non-economic damages for local government entities, their officers, employees, and volunteers and for businesses and health care providers.
- 2. **Procurement.** Oppose efforts to mandate a specific statewide procurement code for local use.
- 3. **Job Order Contracting (JOC).** Bellevue supports extension of JOC legislation for public works projects to allow continued cost savings in the procurement of these projects.
- 4. **Protect Public Intellectual Property.** Support legislation to grant local authority to calculate and assess charges for custom electronic products developed from electronic information systems when provided to persons or organizations for other than governmental uses. Permissible charges for such data should include a reasonable amount to cover staff time to research and develop the information system.
- 5. **Bid Limits.** Support legislation giving cities greater flexibility with bidding procedures and increases in bid limits.
- 6. **Public Works.** Support legislation that clarifies, streamlines, and/or simplifies prevailing wage processes, reduces fees for processes, and/or limits increases in hourly wage rates to reflect inflationary rates. Support legislative or regulatory changes that ensure job classifications for prevailing wage purposes reflect industry practices.
- 7. **Telecommunications and Rights-of-Way.** Protect local authority to require franchises to manage city rights-of-way and to protect publicly-owned infrastructure. Bellevue supports current State law requiring utilities to bear the cost of relocating their facilities in public rights-of-way.
- 8. **Disclosure of Information.**
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 - a.b. Bellevue also supports providing exemptions to the public disclosure act that would protect personal information of clients participating in City-sponsored activities, such as parks and recreation programs, and confidential or proprietary information supplied by persons or entities doing business with governments.
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F. GROWTH MANAGEMENT, LAND USE AND PLANNING

1. **Growth Management.** Support legislation providing incentives to focus future growth in cities and urban centers. Support legislation to enable local governments to address growth management issues through balanced regional policy planning and local program implementation as envisioned by the policy coordination and consistency requirements of the State Growth Management Act (GMA). Oppose legislation that would exempt essential public facilities from compliance with SEPA and oppose legislation that would decrease the City's ability to regulate and influence the siting of essential public facilities.
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- supplemental State funding. Oppose legislation that would require increasing City financial contributions to County public health systems.
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- b. Protect ~~Maintain~~ Washington's current long-term care infrastructure and maintain the investment in services that enable funding for Adult Day Health and Volunteer Chore and continue current funding for the Senior Citizens Services Act. Protect vulnerable older adults and people with disabilities from abuse and neglect; to remain in their homes and in the community, such as the Community Alternative Program waiver and programs and services funded by the Senior Citizens Services Act and family caregiver programs. Protect vulnerable older adults and people with disabilities through programs such as the State Long Term Care Ombudsman, Office of Public Guardianship, and through continued oversight of Adult Family Homes.
- c. Protect ~~Maintain~~ funding to the Housing Trust Fund, ~~the Home Support Fund~~ and the Housing and Essential Needs Program (which replaced the Disability Lifeline), and extend foster care for all youth until age 21.
- d. Protect ~~Maintain current levels of~~ funding for the Washington Information Network (WIN 2-1-1) and protect maintain programs that provide basic needs to all residents, such as food ~~(State Food Assistance Program)~~ and health care ~~(Children's Health Program), including mental health, substance abuse and medical interpretation.~~
- e. Issues to monitor: ~~preserve~~ protect funding for Naturalization Services; support adequate, sustainable funding for community health and human services; protect funding for the Federal Supplemental Nutrition Assistance Program (SNAP); support efforts pertaining to implementation of the Affordable Care Act; and facilitate linkages to housing for individuals at risk for homelessness upon leaving state mental health, foster care, correctional and juvenile rehabilitation systems. ~~and Medical Interpretation.~~

K. **EARLY CHILDHOOD, SCHOOL-AGED CHILDREN/YOUTH AND EDUCATION PROGRAMS** The City supports strong state programs for children and families, including early childhood education, school readiness, after-school programs, access to quality child care, drop-out prevention, family support, prevention of child abuse, special education and local government partnerships with school districts.

L. HOUSING AND HOMELESSNESS

1. **State Housing Funding/Strategies.** Support a permanent source of funding for the State Housing Trust Fund to support the State's and County's goals to end homelessness in accord with the Ten-Year Plan to End Homelessness. Support State

funding for rental assistance and services for homeless people and those at risk of homelessness. Support strategies that create incentives for the creation of more low-income, senior and workforce housing.

2. **Group Care Facilities.** In concert with related changes in federal law, support changes in State law that will preserve local municipal authority to shape our communities while considering and balancing the needs of everyone. In particular, support changes to ensure that the State Department of Social and Health Services and other State agencies are responsive to local safety and neighborhood concerns in siting and overseeing group care facilities.



CITY OF BELLEVUE

Draft 2013 STATE LEGISLATIVE STATEMENT OF POLICY

NOTE: The 2013 Draft Statement of Policy was reviewed by staff and several formatting changes made.

A new category of "Energy, Environment and Utilities" was created this year to reflect the ways in which these issues are interrelated and how the wise use and stewardship of these resources are essential to the current and future quality of life in our community.

The sections on Energy and Air Quality are largely new, while Water Supply, Stormwater Management, Solid Waste and other environmental issues have been updated to reflect current conditions.

In all cases, changes between the 2012 adopted and 2013 draft Statement of Policy are shown in Track Changes mode. A "clean copy" is also included for ease in reading the document.

GENERAL POLICY

The City of Bellevue supports State legislative efforts to encourage cost-effective State, regional and local policy planning and delivery of government services. The City supports legislation that enhances local flexibility to address issues of local concern. The City opposes legislation that mandates increased local costs or results in an inappropriate diminution of local authority over local affairs.

A. ECONOMIC DEVELOPMENT. Support legislation recognizing that the State and local governments play an important role in maintaining, expanding and diversifying local economies. Support legislation or funding that would enhance cities' ability to support job retention and growth; support workforce development; provide economic development loans and grants; finance public improvements for economic development purposes, including tax increment financing mechanisms and new State infrastructure matching programs, loans or grants; and support Brownfields cleanup activities.

B. TRANSPORTATION

1. **Bellevue's Transportation Priorities.** The City of Bellevue, as home to King County's second largest metropolitan center, requires a broad mix of transportation solutions including highway, regional bus, regional light rail, pedestrian and bicycle infrastructure, local transit and local roadway improvements to support growth.

New Transportation Revenue Package: Bellevue supports the development of a state-enacted transportation package that provides new revenues for roads and transit and focuses on the following projects that are of critical importance to Bellevue:

- Completion of projects identified in the I-405 Master Plan
 - NE 6th extension to 120th Ave NE
 - Additional lane from I-90 to Renton
 - NE 12th to SE 8th restriping to accommodate an additional lane each direction
 - Completion of SB SR 520 to I-405 braided ramp at NE 10th
 - Funding for a full new interchange at 124th on SR 520
2. **Transportation Funding.** The State highway and federal interstate system in East King County fails to meet the needs of the region and is threatening the quality of life

and economic prosperity of those living and working in the region. The Legislature should ensure the State gas tax provides adequate revenue to address near-term transportation system funding for the State and local government transportation needs, including consideration of indexing the gas tax for inflation. Bellevue supports legislation that provides new local authority transportation tools and new revenue sources that provide a sustainable revenue stream to meet State transportation needs, such as a phased implementation of system-wide tolling and pricing of key State facilities.

C. FINANCE

1. **Local Revenue Authority.** Oppose legislation that would reduce the City's tax or license base or revenue authority, or would adversely alter or limit the distribution or application of revenue at the local level. Support legislation that provides additional financial flexibility at the discretion of the city legislative body, while recognizing the need for local government to streamline its revenue collection processes and act in a "business friendly" manner.
2. **Business and Occupation (B&O) Tax Authority.** Bellevue supports the goal of streamlining administration and reporting of the local share of the B&O tax through development of a single multi-city portal for registering businesses and reporting and paying local B&O taxes. This approach would provide greater efficiency while retaining local control, flexibility and revenue capacity from this important funding source. Bellevue supports use of the Model Business and Occupation Gross Receipts Tax Ordinance with limited exceptions to allow flexibility to each city to adjust its tax structure to meet local business needs and priorities, and economic development goals. Bellevue opposes legislation that will reduce municipal B&O taxing, administration and licensing authority or revenue.
3. **Sales Tax.** Bellevue supports continued mitigation for losses to jurisdictions that are negatively impacted from changes to sales tax sourcing, until such time as voluntary compliance of the collection and payment of State and local sales tax on interstate mail order and internet sales, or federal mandate, results in net positive revenues from the sourcing change.
4. **Telecommunications Taxes.** Bellevue opposes any reduction in the ability of municipalities to impose reasonable taxes and fees on telecommunication services.
5. **Sales Tax Limitations.** Bellevue opposes legislation to extend sales tax to new areas of local government operations, such as parks and recreations programs for youth.
6. **Utility Lien Law.** Bellevue opposes legislation that would preempt existing city authority to place liens on property or discontinue service to assure payment for utility services. *(Note: this is the same language used in the 2012 Statement of Policy, but has been moved from the Utilities section).*
7. **City Utility Tax Authority.** Support maintenance of existing city utility tax revenues and utility authority.

D. ENERGY, ENVIRONMENT AND UTILITIES

Bellevue considers natural resources to be key community assets for current and future generations and supports legislation and funding to maintain the City's quality of life, including preserving and protecting a healthy environment and economy.

1. ENERGY

- a. **Clean Energy and Technology Sector.** Bellevue supports funding that would enhance cities' ability to attract and retain emerging clean economy businesses and jobs, including funding or favorable financing mechanisms for development of infrastructure required to accommodate them.
- b. **Renewable Energy and Energy Efficiency.** Bellevue supports incentives for the installation of renewable energy generation equipment and facilities, including solar, heat recovery and geothermal. The City also supports incentives to encourage energy efficiency, conservation and the use of advanced biofuels (e.g. biodiesel and ethanol, among others).
- c. **Public-Private Partnerships.** Bellevue supports legislation enabling public-private partnerships that increase the functionality and value of public facilities (e.g., park-and-ride facilities).

2. AIR QUALITY AND CLIMATE

- a. **Green Fleets.** Bellevue supports incentives for government fleets to transition to cleaner, more fuel-efficient vehicles, such as hybrids and plug-in electric vehicles.
- b. **Electric Vehicle Infrastructure.** Bellevue supports funding for regional, state and multistate electric vehicle (EV) infrastructure planning and implementation efforts.
- c. **Air Pollution Prevention.** Bellevue supports increased funding for local and regional air quality and pollution reduction programs, including those managed by the Puget Sound Clean Air Agency (PSCAA) and the Clean Cities Coalition. Bellevue supports legislation that would provide the option for all larger cities to be directly represented on the PSCAA Board of Directors.
- d. **Commute Trip Reduction.** Bellevue supports Commute Trip Reduction funding and policies that reduce demand on local and state roads.

3. WATER SUPPLY

Bellevue supports State policy that:

- a. Encourages cooperative efforts of local governments to undertake water supply planning, develop new water resources, and link systems together for greater efficiency.
- b. Provides tools that allow local governments and water supply agencies to equitably balance competing demands on water resources, including a balance between in-stream and out-of-stream benefits.
- c. Creates incentives to pursue and encourage cost-effective water conservation measures for all segments of water users.
- d. Eliminates the legal uncertainty created by recent Washington State Supreme Court cases regarding the appropriate mechanism or process to pay for fire hydrants, the supporting water system facilities and water for fire flow, by providing local governments and water utilities flexibility in cost recovery mechanisms.

Bellevue opposes:

- a. Changes to the municipal water law statute that would jeopardize the ability of the Cascade Water Alliance to meet its obligations to its members.

4. **STORMWATER MANAGEMENT AND NPDES PERMIT**

The City supports:

- a. Additional funding to help cities implement the municipal stormwater discharge permit under Phase II of the National Pollutant Discharge Elimination system (NPDES);
- b. Flexible and direct funding to cities and counties to meet NPDES requirements based on a per-capita or other formula that recognizes the burdens of the new regulations to different jurisdictions; and
- c. An alternative monitoring strategy for the next NPDES municipal stormwater permit that provides more meaningful and useful results, is less expensive, and meets multiple objectives, such as Chinook recovery or Growth Management Act directives.

The City opposes:

- a. New permit requirements that exceed what is reasonable and practicable regarding urban runoff;
- b. New permit requirements that undermine local land use authority and/or conflict with the Growth Management Act vesting rules and other local government functions;
- c. Permit-mandated watershed scale stormwater planning that undermines the local land use control and/or potentially expands City liability for the actions of other jurisdictions; and
- d. Department of Ecology rulemaking that results in unrealistic water quality standards and enforcement through Water Quality Cleanup Plans and the NPDES Permit.

5. **SOLID WASTE**

- a. **Preserve Local Authority.** Bellevue supports preserving existing city authority over solid waste management, especially waste stream control and recycling.
- b. **Lifecycle Product Stewardship.**
Bellevue supports:
 - Improved packaging requirements to include significant recycled content and to improve the ease of recycling products at the end of their useful life;
 - Programs that encourage manufacturer responsibility for developing and implementing a collection system for the reclamation and proper disposal of their products at the end of the products' useful life;
 - Legislation for point of sale fees on hazardous waste products to support the operation of specialized collection facilities;
 - Legislation to allow cities with essential public facilities within their boundaries (e.g. transfer stations) to receive reasonable fees to mitigate the related public safety and infrastructure impacts, costs, and loss of tax revenue; and
 - A convenient, safe, secure and environmentally sound medicine take-back program for unwanted medicines from households through a mechanism that covers the cost of collection, transportation and disposal that does not rely on local government funding.

6. OTHER ENVIRONMENTAL INITIATIVES

- a. **Salmon Recovery and Endangered Species Act (ESA) Funding.** The City supports increased funding for salmon recovery focused on watershed forums' implementation plans. Bellevue also supports legislation that streamlines permitting for ESA-related projects.
- b. **Puget Sound Partnership.** The City supports legislation that is compatible with current planning efforts and activities related to water quality, quantity and habitat, as well as consistency with community values and appropriate fiscal constraints. Bellevue opposes adoption of actions or legislation that imposes unrealistic or infeasible water quality, quantity or habitat or monitoring requirements in urban areas.
- c. **Flood Control.** Bellevue supports legislation that would require balancing public safety concerns with habitat protection when reviewing and/or issuing permits for flood control projects. The City also supports efforts to ensure there is a nexus between the expenditure of funds within a flood control zone and the contribution and benefit received by areas within the zone.
- d. **Reclaimed Water.** Bellevue supports legislation requiring a cost-benefit analysis from purveyors of reclaimed water to ensure that general rate-paying customers are not subsidizing those who will benefit directly from the reclaimed water system.
- e. **Lakeline Funding.** The City supports funding to repair and/or replace deteriorating segments of the sewer pipeline located along the shore of Lake Washington and Lake Sammamish.

E. GENERAL GOVERNMENT

1. **Insurance/Tort Reform.** Bellevue supports efforts by the State to reduce liability costs which will add a greater degree of certainty to business and government budgets and improve the economic environment. Bellevue supports legislation to amend State tort statutes to remove unreasonable municipal and private sector liabilities, specifically:
 - a. **Joint and Several Liability.** Exempt cities and towns from joint and several liability for the acts of other persons at fault;
 - b. **Cap Non-Economic Damages:** Provide caps on non-economic damages for local government entities, their officers, employees, and volunteers and for businesses and health care providers.
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 - b. Protect Washington's current long-term care infrastructure and maintain the investment in services that enable older adults and people with disabilities to remain in their homes and in the community, such as the Community Alternative Program waiver and programs and services funded by the Senior Citizens Services Act and family caregiver programs. Protect vulnerable older adults and people with disabilities through programs such as the State Long Term Care Ombudsman, Office of Public Guardianship, and through continued oversight of Adult Family Homes.

- c. Protect funding to the Housing Trust Fund, the Housing and Essential Needs Program (which replaced the Disability Lifeline), and extend foster care for all youth until age 21.
- d. Protect funding for the Washington Information Network (WIN 2-1-1) and protect programs that provide basic needs to all residents, such as food and health care, including mental health, substance abuse and medical interpretation.
- e. Issues to monitor: protect funding for Naturalization Services; support adequate, sustainable funding for community health and human services; protect funding for the Federal Supplemental Nutrition Assistance Program (SNAP); support efforts pertaining to implementation of the Affordable Care Act; and facilitate linkages to housing for individuals at risk for homelessness upon leaving state mental health, foster care, correctional and juvenile rehabilitation systems.

K. EARLY CHILDHOOD, SCHOOL-AGED CHILDREN/YOUTH AND EDUCATION PROGRAMS The City supports strong state programs for children and families, including early childhood education, school readiness, after-school programs, access to quality child care, drop-out prevention, family support, prevention of child abuse, special education and local government partnerships with school districts.

L. HOUSING AND HOMELESSNESS

- 1. State Housing Funding/Strategies.** Support a permanent source of funding for the State Housing Trust Fund to support the State's and County's goals to end homelessness in accord with the Ten-Year Plan to End Homelessness. Support State funding for rental assistance and services for homeless people and those at risk of homelessness. Support strategies that create incentives for the creation of more low-income, senior and workforce housing.
- 2. Group Care Facilities.** In concert with related changes in federal law, support changes in State law that will preserve local municipal authority to shape our communities while considering and balancing the needs of everyone. In particular, support changes to ensure that the State Department of Social and Health Services and other State agencies are responsive to local safety and neighborhood concerns in siting and overseeing group care facilities.